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If you believe you are eligible to vote and encounter difficulty registering, please contact the Bureau of Elections at the New Mexico Secretary of State's office:

Office of the New Mexico Secretary of State  
State Capitol North Annex, Suite 300  
Santa Fe, NM 87503  
(505) 827-3620 (voice)  
(505) 827-3634 (fax)  
(800) 477-3632 (toll-free)  
[www.sos.state.nm.us](http://www.sos.state.nm.us)

If the New Mexico Secretary of State is unable to help you, or to report a problem, contact:

U.S. Department of Justice, Civil Rights Division  
950 Pennsylvania Avenue, NW  
Voting Section, Rm. 7254 - NWB  
Washington, D.C. 20530  
(202) 307-2767 (voice)  
(800) 253-3931 (toll-free)  
(202) 307-3961 (fax)  
[www.usdoj.gov/crt](http://www.usdoj.gov/crt)

*This pamphlet is provided for informational purposes only, as an aid to further inquiry. The laws in many states are revised frequently, and may have changed since this pamphlet was issued. It is your responsibility to determine whether you are lawfully eligible to vote, and criminal penalties can result from voting when ineligible or making false statements on a registration form.*

Issued December, 2000

U.S. Department of Justice

Civil Rights Division



# Restoring Your Right to Vote



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The right to vote is an important civil right in a democracy as well as a civic responsibility, and yet many persons who have been convicted of a crime do not know whether they are eligible to vote. For both federal and state elections, the right to vote is controlled by the law of the state in which you live. Some states restrict the right to vote for persons who have been convicted of a crime. This pamphlet is intended to help you determine whether you are eligible to vote in the state in which you live, and if so, what steps you must take to be permitted to vote.

### **What law governs whether my felony conviction limits my right to vote?**

The impact of a criminal conviction on the right to vote varies widely from state to state. Whether you can vote after being convicted of a crime is determined by the state in which you live, not the state in which you were convicted.

### **Can I vote while I'm incarcerated in New Mexico?**

If you are a resident of New Mexico, you cannot vote while you are incarcerated as a result of the conviction of a felony.

If you are a resident of another state who is temporarily incarcerated in New Mexico, you may be able to vote by absentee ballot in your home state. You need to consult the law of your home state regarding both criminal convictions and absentee ballots to see if this is a possibility.

### **I have been released from incarceration. How do I restore my right to vote?**

In order to regain your right to vote, you must submit a copy of the certificate of discharge that you receive upon completion of your sentence to the Governor, who has the power to pardon or to issue a certificate restoring

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your rights of citizenship, including the right to vote. You may contact the Governor's office at:

Office of the Governor  
State Capitol Building  
Santa Fe, NM 87503  
(505) 827-3000

### **What if my conviction was for a federal crime?**

If you have been convicted of a federal felony, you cannot vote unless your civil rights have been restored. The Governor of New Mexico does not have the power to pardon your federal crime, but he can restore your right to vote in New Mexico after you have completed your federal sentence by issuing a certificate of restoration of civil rights.

### **What if I was convicted in another state?**

If you have been convicted of a felony in another state, you cannot vote in New Mexico unless your civil rights have been restored. There are no provisions in New Mexico law for restoring civil rights to persons convicted of a felony in the court of another state.

### **What happens if I move to another state?**

If you move to another state, your right to vote will be controlled by the laws of that state.

### **What are New Mexico's other voter registration requirements?**

To vote in New Mexico, you must be:

- A resident of New Mexico
- A citizen of the United States
- Not legally declared mentally incapacitated
- 18 years or older at the time of the next election

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### **When do I need to register to vote?**

To be able to vote in the next election, you must register 28 days before that election. Registration books remain closed until the Monday following the election.

### **Where do I go to register?**

You may register to vote by using a mail-in registration form which is available at any county clerk's office, at the Office of the Secretary of State and at many state agencies. You may also register to vote when applying for a new or renewed driver's license, when applying for certain types of public assistance or services, at many public libraries, colleges and universities, or at any organized voter registration drive.